

## Message Text

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TO CINCLANT

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C O N F I D E N T I A L STATE 152598

FOR POLADS

FOLLOWING REPEAT CARACAS 6014 ACTION SECSTATE INFO USUN JULY 1ST

QUOTE

C O N F I D E N T I A L CARACAS 6014

FROM: US DEL LOS

DEPT PLEASE PASS ALL DIPLOMATIC POSTS

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: WEEKLY ANALYTICAL SUMMARY

1. SUMMARY: WITH ITS TIMELY ADOPTION BY CONSENSUS OF ITS RULES OF PROCEDURE, THE LOS CONFERENCE IS OFF TO CONSTRUCTIVE START. WITH 147 COUNTRIES PRESENT OUT OF 151 INVITED, THE CONFERENCE SHOWS SIGNS AT THIS EARLY STAGE OF SERIOUSNESS OF PURPOSE AND DESIRE TO AVOID UNNECESSARY DIVERSIONS.

2. LRECISELY ON SCHEDULE (JUNE 27) THE CONFERENCE BY CONSENSUS AND WITHOUT RESORT TO VOTING REAFFIRMED THE "GENTLEMEN'S AGREEMENT" TO MAKE EVERY EFFORT TO REACH AGREEMENT ON  
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SUBSTANTIVE MATTERS BY CONSENSUS AND NOT VOTE UNTIL ALL

EFFORTS AT CONSENSUS HAVE BEEN EXHAUSTED AND ADOPTED RULES OF PROCEDURE WHICH ARE IMPROVEMENT OVER UNGA CLASSIC CONFERENCE RULES IN PROTECTING OUR INTERESTS IN THREE RESPECTS: FIRST, EXPRESS PROVISION THAT CONVENTION AS A WHOLE WILL BE PUT TO SINGLE VOTE FOR ADOPTION BY 2/3 MAJORITY OF THOSE PRESENT AND VOTING, INCLUDING AT LEAST A SIMPLE MAJORITY OF STATES PARTICIPATING. SECOND, A PRELIMINARY RULE REQUIRING THAT, BEFORE ANY SUBSTANTIVE MATTER IS PUT TO THE VOTE, THE PRESIDING OFFICER MAY ON HIS OWN INITIATIVE, AND MUST IF 15 REPRESENTATIVES SO REQUEST, RECOMMEND A DEFERMENT OF VOTING SO AS TO GIVE ADDITIONAL TIME TO REACH GENERAL AGREEMENT; THIRD, A RELATED RULE THAT BEFORE A SUBSTANTIVE MATTER IS PUT TO A VOTE, THE ORGAN CONCERNED MUST FIRST MAKE A DETERMINATION THAT ALL EFFORTS AT CONSENSUS HAVE BEEN EXHAUSTED. THE USSR, UK AND JAPAN APPEAR WELL SATISFIED WITH THE CONFERENCE'S ACTION. THE LANDLOCKED, SHELF-LOCKED GROUP WAS DISAPPOINTED THAT A TWO THIRD MAJORITY OF STATES PARTICIPATING WAS NOT REQUIRED IN PLENARY AND IN THE FINAL VOTE ON THE TREATY SINCE THIS WOULD GIVE THEM A BLOCKING THIRD. SOME AFRICAN STATES, PARTICULARLY TANZANIA AND KENYA, CRITICIZED THE PACKAGE AS TILTING TOO FAR IN THE DIRECTION OF CONSENSUS AND DELAY, BUT DID NOT BLOCK THE CONSENSUS, LIMITING THEMSELVES TO RESERVATIONS FOR THE RECORD. THE GREAT MAJORITY OF PARTICIPANTS APPEARED TO ACCEPT THE RULES AS A REASONABLE COMPROMISE BETWEEN THOSE FAVORING CONSENSUS AND THE CLASSIC VOTING RULES, AND WERE VERY PLEASED AND SOMEWHAT SURPRISED THAT THE CONFERENCE HAD BEEN ABLE TO ADOPT THE GENTLEMAN'S AGREEMENT AND RULES ON SCHEDULE WITHOUT VOTING. THE ADOPTION OF THESE RULES FOLLOW SEVERAL WEEKS OF DISCUSSIONS WHICH HAVE BEEN HELD AT VARIOUS TIMES SINCE THE ORGANIZATIONAL SESSION OF THE CONFERENCE WAS HELD IN NEW YORK LAST DECEMBER.

3. NTTE GOVERNMENT OF VENEZUELA HAS MADE AN ENORMOUS EFFORT TO MAKE THIS SESSION A SUCCESS. CONFERENCE PRESIDENT AMERASINGHE, WHO EMPHASIZED IN HIS OPENING STATEMENT THE NEED TO MAKE MAJOR PROGRESS AT THIS

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SESSION EVEN IF FINAL AGREEMENT DOES NOT EMERGE THIS SUMMER, HAS BEEN FORCEFUL, PERSISTENT AND POLITICALLY ASTUTE IN SEEKING AGREEMENT ON THE REAFFIRMATION OF THE GENTLEMAN'S AGREEMENT AND THE RULES OF PROCEDURE THROUGH VIRTUALLY NON-STOP CONSULTATIONS WITH THE DELEGATIONS MOST CONCERNED.

4. THE CONFERENCE NOW MOVES TO GENERAL DEBATE. ITS MAIN

COMMITTEES MAY ALSO MEET SOON TO ORGANIZE AND COMMENCE THEIR SUBSTANTIVE WORK. ONE OF THE MORE DIFFICULT ORGANIZATIONAL QUESTIONS TO BE FACED WILL BE THE FORMATION OF WORKING GROUPS AND THEIR LEADERSHIP.

5. THERE IS GROWING SUPPORT FOR THE 12-MILE TERRITORIAL SEA PLUS 188-MILE ECONOMIC ZONE WITH THE USSR PUBLICLY CONFIRMING ON OPENING DAY OF GENERAL DEBATE THAT IT WAS WILLING TO ACCEPT A 200-MILE ECONOMIC ZONE WITH ADEQUATE PROVISION FOR FOREIGN FISHING WHEN THE COASTAL STATE IS NOT FULLY UTILIZING THE FISH RESOURCES WITHIN THE ZONE AND PROVIDED THERE ARE ADEQUATE GUARANTEES FOR TRANSIT THROUGH INTERNATIONAL STRAITS. WE HAVE INITIATED PRIVATE CONSULTATION SEPARATELY WITH PERU, ECUADOR AND COSTA RICA WITH A VIEW TO NARROWING OUR DIFFERENCES WITH PERU AND ECUADOR ON TREATMENT OF TUNA THROUGH A COMBINATION OF A 200-MILE ECONOMIC ZONE AND INTERNATIONAL ARRANGEMENTS FOR CONSERVATION AND ALLOCATION OF TUNA. THE US HAS CONTINUED TO COOPERATE BEHIND THE SCENES ESPECIALLY CLOSELY WITH THE USSR, UK, FRANCE AND JAPAN, WITH WHOM WE MEET REGULARLY AND SHARE MANY IMPORTANT COMMON INTERESTS IN THE NEGOTIATIONS.

6. ALTHOUGH THE EVIDENCE IS LIMITED, OUR IMPRESSION IS THAT MOST PARTICIPANTS WANT MAJOR PROGRESS AT CARACAS WHILE RECOGNIZING THAT COMPLETION OF THE COMPREHENSIVE TREATY MAY BE TOO MUCH TO EXPECT IN THE REMAINING NINE WEEKS. WE CONTINUE TO URGE IN THE STRONGEST TERMS THAT THE CONFERENCE MUST IN ANY EVENT FINISH ITS WORK NEXT YEAR. WE WOULD WELCOME COOPERATION OF POSTS ON APPROPRIATE OCCASION IN STRESSING IN CAPITALS CRITICAL NECESSITY TO MAKE SUBSTANTIVE PROGRESS ON AGREED TREATY THIS SUMMER, PARTICULARLY ON ECONOMIC ZONE AND FINISH NEXT YEAR. MOST DELEGATIONS APPEAR TO REGARD THE US AS TAKING A MODERATE POSITION ON THE ISSUES, WITH THE POSSIBLE EXCEPTION OF OUR  
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ATTITUDE ON THE POWERS OF THE DEEP SEABED REGIME, WHICH ALMOST ALL DEVELOPING COUNTRIES REGARD AS TOO CONSERVATIVE. OUR SERIES OF BILATERAL CONSULTATIONS IN CAPITALS IN RECENT MONTHS HAS BEEN EXTREMELY HELPFUL AND WE HOPE TO SEE SOME VALUABLE BENEFITS IN THE DIFFICULT WEEKS OF NEGOTIATION WHICH LIE AHEAD. MULTILATERALLY, THE PRIVATE CONSULTATIONS OF KEY COUNTRY LEADERS LED BY MINISTER EVENSEN OF NORWAY, IN WHICH WE HAVE BEEN AN ACTIVE PARTICIPANT, HAVE BEEN VALUABLE IN FORMING THE OUTLINE OF A POSSIBLE COMPROMISE ON THE ECONOMIC ZONE WHICH PROTECTS OUR INTERESTS.

STEVENSON

UNQUOTE KISSINGER

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